



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION I

5 POST OFFICE SQUARE, SUITE 100
BOSTON, MASSACHUSETTS 02109-3912

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

JUL 11 2013

Mr. Brendan M. Canny
Vice Principal, Dean of Students
Northwest Catholic High School
29 Wampanoag Drive
West Hartford, Connecticut 06114

Re: PCB Cleanup and Disposal Approval under 40 CFR § 761.61(c)
and § 761.79(h)
Northwest Catholic High School
West Hartford, Connecticut

Dear Mr. Canny:

This is in response to the Northwest Catholic High School (NWCHS) Notification¹ for approval of a proposed plan to address PCB contamination located in the building known as Northwest Catholic High School, ("the Site") at 29 Wampanoag Drive, West Hartford, Connecticut. The Site contains PCB-contaminated materials that exceed the allowable PCB levels under 40 CFR § 761.20(a), § 761.61, and § 761.62. Specifically, PCBs have been found in caulk, glazing, and paint and in the adjacent building substrates (i.e., brick).

In its Notification NWCHS has proposed the following PCB remediation plan;

- o Remove all caulk, associated window systems (i.e., window frame, glass, and glazing), and associated entry door/windows (two on the south elevation and two on the east elevation);
- o Dispose of PCB caulk greater than or equal to (\geq) 50 parts per million (ppm) (i.e., Cafeteria and south elevation window caulk) and associated windows as a *PCB bulk product waste* in accordance with § 761.62(a);

¹ The Notification was prepared by Superior Industries, LLC, on behalf of the Northwest Catholic High School to satisfy the requirements under 40 CFR§ 761.61 (c) and § 761.79(h). Information was submitted dated February 2, 2013 (Risk-Based Disposal Approval Plan for PCB Caulking Removal); June 3, 2013 (Response to EPA Comments and Revised Plan); June 22, 2013 (Additional Sampling and MGM Work plan); and July 3, 2013 (Modification for disposal of *PCB bulk product waste*). These submittals shall be referred to as the "Notification".

- o Dispose of remaining PCB caulk less than ($<$) 50 ppm and *non-porous surfaces* (i.e., window/door frames) as a *PCB bulk product waste* in accordance with § 761.62(b);
- o Encapsulate the *porous surfaces* (i.e., painted steel beams and columns, and brick veneer around windows) with an air-tight, aluminum window frame as a physical barrier following removal of the \geq 50 ppm PCB caulk;
- o Encapsulate the *porous surfaces* (i.e., brick veneer around doors) with an acrylic/epoxy coating to a distance of 3 inches from the caulk joint following removal of the PCB caulk;
- o Remove and dispose of bulk *PCB remediation waste* (i.e., soil) with greater than ($>$) 1 ppm but $<$ 50 ppm in accordance with § 761.61(a)(5)(i)(B)(2)(ii); and,
- o Conduct verification sampling in accordance with Subpart O to confirm that the PCB concentrations in soils are less than or equal to (\leq) 1 ppm.

NWCHS has determined that certain caulks, glazing and paints used throughout the building, which have PCB concentrations at $<$ 50 ppm meet the criteria for an *Excluded PCB Product* under § 761.3. Under the PCB regulations, *Excluded PCB Products* are authorized for use and thus there is no requirement for decontamination of surfaces that are in contact with the $<$ 50 ppm products. NWCHS is proposing to dispose of the $<$ 50 ppm caulk and glazing with the windows/door frames. While the $<$ 50 ppm PCB paint has been classified as an *Excluded PCB Product*, the painted *non-porous surfaces* were in contact with \geq 50 ppm PCB caulk and as such these structural members are addressed in the Notification.

Based on the EPA's review, the information provided in the Notification meets the requirements under § 761.62 and § 761.79(h) for abatement of PCB caulk and § 761.61(c) for decontamination and/or encapsulation of PCB-contaminated building surfaces.. EPA finds that the proposed encapsulation should effectively prevent direct exposure of these PCB-contaminated surfaces to building users provided the encapsulated surfaces are maintained. As such, EPA may approve the encapsulation under § 761.61(c).

NWCHS may proceed with its project in accordance with 40 CFR § 761.61(c); § 761.62; § 761.79(h); its Notification; and, this Approval, subject to the conditions of Attachment 1. Under this Approval, EPA is reserving its right to require additional investigation or mitigation measures should the results of the long-term monitoring indicate an unreasonable risk to the building users.

Please be aware that this Approval requires NWCHS to conduct outreach activities for the school community, including students, parents, and school employees concerning the PCB remediation work. Documentation of the outreach effort shall be submitted to EPA. (Attachment 1, Approval Condition 18)

Please note that NWCHS will be required to record a notation on the deed for the Site as required under § 761.61(a)(8) since PCBs at > 1 ppm will remain on the Site.

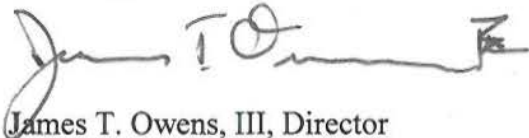
A contractor work plan was included in the Notification. However, EPA identified information within the work plan which requires clarification. Accordingly, please be aware that a revised contractor work plan is required under this Approval. (See Attachment 1, Approval condition 11 b.)

Questions and correspondence regarding this Approval should be directed to:

Kimberly N. Tisa, PCB Coordinator (OSRR07-2)
United States Environmental Protection Agency
5 Post Office Square, Suite 100
Boston, Massachusetts 02109-3912
Telephone: (617) 918-1527
Facsimile: (617) 918-0527

EPA shall not consider this project complete until it has received all submittals required under this Approval. Please be aware that upon EPA receipt and review of the submittals, EPA may request any additional information necessary to establish that the work has been completed in accordance with 40 CFR Part 761, the Notification, and this Approval.

Sincerely,



James T. Owens, III, Director
Office of Site Remediation & Restoration

cc Earl R. Clark, Superior Industries
Gary Trombly, CTDEEP
Brian Toal, DPH
File

Attachment 1 – PCB Approval Conditions

ATTACHMENT 1:

**PCB CLEANUP AND DISPOSAL APPROVAL CONDITIONS
NORTHWEST CATHOLIC HIGH SCHOOL (the Site)
29 WAMPANOAG DRIVE
WEST HARTFORD, CONNECTICUT**

GENERAL CONDITIONS

1. This Approval is granted under the authority of Section 6(e) of the Toxic Substances Control Act (TSCA), 15 U.S.C. § 2605(e), and the PCB regulations at 40 CFR Part 761, and applies solely to the *PCB bulk product waste* and the *PCB remediation waste* located at the Site and identified in the Notification.
2. Northwest Catholic High School (NWCHS) shall conduct on-site activities in accordance with the conditions of this Approval and with the Notification.
3. In the event that the cleanup plan described in the Notification differs from the conditions specified in this Approval, the conditions of this Approval shall govern.
4. The terms and abbreviations used herein shall have the meanings as defined in 40 CFR § 761.3 unless otherwise defined within this Approval.
5. NWCHS must comply with all applicable federal, state and local regulations in the storage, handling, and disposal of all PCB wastes, including PCBs, PCB Items and decontamination wastes generated under this Approval. In the event of a new spill during response actions, NWCHS shall contact EPA within 24 hours for direction on PCB cleanup and sampling requirements.
6. NWCHS is responsible for the actions of all officers, employees, agents, contractors, subcontractors, and others who are involved in activities conducted under this Approval. If at any time NWCHS has or receives information indicating that NWCHS or any other person has failed, or may have failed, to comply with any provision of this Approval, it must report the information to EPA in writing within 24 hours of having or receiving the information.
7. This Approval does not constitute a determination by EPA that the transporters or disposal facilities selected by NWCHS are authorized to conduct the activities set forth in the Notification. NWCHS is responsible for ensuring that its selected transporters and disposal facilities are authorized to conduct these activities in accordance with all applicable federal, state and local statutes and regulations.

8. This Approval does not: 1) waive or compromise EPA's enforcement and regulatory authority; 2) release NWCHS from compliance with any applicable requirements of federal, state or local law; or 3) release NWCHS from liability for, or otherwise resolve any violations of federal, state or local law.
9. Failure to comply with the Approval conditions specified herein shall constitute a violation of the requirement in § 761.50(a) to store or dispose of PCB waste in accordance with 40 CFR Part 761 Subpart D.

NOTIFICATION AND CERTIFICATION CONDITIONS

10. This Approval may be revoked if the EPA does not receive written notification from NWCHS of its acceptance of the conditions of this Approval within 10 business days of receipt.
11. NWCHS shall submit the following information to EPA:
 - a. a certification signed by its selected abatement/demolition contractor, stating that the contractor(s) has read and understands the Notification, and agrees to abide by the conditions specified in this Approval;
 - b. a revised contractor work plan, that includes information detailing how field and moveable equipment will be decontaminated in accordance with § 761.79; and,
 - c. a certification signed by the selected analytical laboratory, stating that the laboratory has read and understands the extraction and analytical method requirements and quality assurance requirements specified in the Notification and in this Approval.

DECONTAMINATION AND DISPOSAL CONDITIONS

12. To the maximum extent practical, engineering controls, such as barriers, and removal techniques, such as the use of HEPA ventilated tools, shall be utilized during removal processes. In addition, to the maximum extent possible, disposable equipment and materials, including PPE, will be used to reduce the amount of decontamination necessary.
13. All visible residues of PCB caulk (i.e., *PCB bulk product waste*) shall be removed as described in the Notification.

14. Following encapsulation of PCB-contaminated *porous surfaces* (i.e., brick around door openings) with a coating, sampling shall be conducted to determine the effectiveness of the encapsulation.
 - a. Wipe sampling of encapsulated *porous surfaces* shall be performed on a surface area basis by the standard wipe test as specified in 40 CFR § 761.123 (i.e. $\mu\text{g}/100\text{ cm}^2$). Chemical extraction for PCBs shall be conducted using Method 3500B/3540C of SW-846; and, chemical analysis for PCBs shall be conducted using Method 8082 of SW-846, unless another extraction or analytical method(s) is validated according to Subpart Q.
 - b. In the event that the PCB concentration of any wipe sample is greater than ($>$) $1\text{ }\mu\text{g}/100\text{ cm}^2$, and if this standard cannot be achieved with the application of additional encapsulant, NWCHS shall contact EPA for further discussion and direction on alternatives.
15. The cleanup standard for *PCB remediation waste* (i.e., soil) shall be less than or equal to (\leq) 1 ppm for unrestricted use or disposal.
 - a. All verification samples of bulk *PCB remediation waste* (i.e., soils) shall be collected on a bulk basis (i.e., mg/kg) in accordance with 40 CFR 761 Subpart O.
 - b. Chemical extraction for PCBs shall be conducted using Methods 3500B/3540C of SW-846; and, chemical analysis for PCBs shall be conducted using Method 8082 of SW-846, unless another extraction/analytical method(s) is validated according to Subpart Q.
16. Post-abatement indoor surface sampling and indoor air sampling shall be conducted to document the effectiveness of the abatement work and encapsulation.
 - a. Wipe sampling of indoor surfaces shall be performed on a surface area basis by the standard wipe test as specified in 40 CFR § 761.123 (i.e. $\mu\text{g}/100\text{ cm}^2$). Chemical extraction for PCBs shall be conducted using Method 3500B/3540C of SW-846 and chemical analysis for PCBs shall be conducted using Method 8082 of SW-846, unless another method(s) is validated according to Subpart Q. The laboratory reporting limit shall be $\leq 1\text{ }\mu\text{g}/100\text{ cm}^2$.
 - b. Indoor air sampling shall be conducted in accordance with EPA Method TO-10A or EPA Method TO-4A. Sufficient sample volumes shall be collected to provide a laboratory reporting limit of $\leq 0.050\text{ }\mu\text{g}/\text{m}^3$ for total PCBs. PCB analysis shall be conducted for PCB homologues and/or PCB congeners.

17. PCB waste (at any concentration) generated as a result of the activities described in the Notification, excluding any decontaminated materials; shall be marked in accordance with 40 CFR § 761.40; stored in a manner consistent with 40 CFR § 761.65; and, disposed of in accordance with 40 CFR § 761.61 or § 761.62, unless otherwise specified below.
 - a. Decontamination wastes and residues shall be disposed of in accordance with 40 CFR § 761.79(g)(6).
 - b. Moveable equipment, tools, and sampling equipment shall be decontaminated in accordance with either 40 CFR § 761.79(b)(3)(i)(A), § 761.79(b)(3)(ii)(A), or § 761.79(c)(2).
 - c. PCB-contaminated water generated during decontamination shall be decontaminated in accordance with 40 CFR § 761.79(b)(1) or disposed of under § 761.60.
18. NWCHS shall conduct outreach activities for the school community, including students, parents, and school employees on the PCB remediation work. NWCHS shall submit information on its outreach activities within 30 days of receipt of this Approval.

DEED RESTRICTION AND USE CONDITIONS

19. Within thirty (30) days of completing the activities described in the Notification and in the Approval, NWCHS shall submit for EPA review and approval, a draft deed restriction for the Site where PCBs greater than (>) 1 ppm remain. The deed restriction shall include: a description of the extent and levels of contamination at the Site following abatement; a description of the actions taken at the Site; a description of the use restrictions for the Site, if any; and, the long-term monitoring and maintenance requirements on the Site. Within seven (7) days of receipt of EPA's approval of the draft deed restriction, NWCHS shall record the deed restriction. A copy of this Approval shall be attached to the deed restriction.

INSPECTION, MODIFICATION AND REVOCATION CONDITIONS

20. Within 60 days of completion of the work authorized under this Approval, NWCHS shall submit for EPA's review and approval, a detailed monitoring and maintenance implementation plan (MMIP) for the surface barriers. NWCHS shall incorporate any changes to the MMIP required by EPA.

- a. The MMIP shall include: a description of the activities that will be conducted, including inspection criteria, frequency, and routine maintenance activities; sampling protocols, sampling frequency, and analytical criteria; and, reporting requirements, as applicable.
 - b. The MMIP shall include a communications component which details how the maintenance and monitoring results will be communicated to the Site users, including teachers, parents, student, other on-site workers, and interested stakeholders.
 - c. The MMIP also shall include a worker training component for maintenance workers or for any person that will be conducting work that could impact the barriers encapsulating the PCB-contaminated surfaces.
 - d. NWCHS shall submit the results of these long-term monitoring and maintenance activities to EPA. Based on its review of the results, EPA may determine that modification to the MMIP is necessary in order to monitor and/or evaluate the long-term effectiveness of the barriers.
 - e. Activities required under the MMIP shall be conducted until such time that EPA determines, in writing, that such activities are no longer necessary.
21. NWCHS shall allow any authorized representative of the Administrator of the EPA to inspect the Site and to inspect records and take samples as may be necessary to determine compliance with the PCB regulations and this Approval. Any refusal by NWCHS to allow such an inspection (as authorized by Section 11 of TSCA) shall be grounds for revocation of this Approval.
22. Any modification(s) in the plan, specifications, or information submitted by NWCHS, contained in the Notification, and forming the basis upon which this Approval has been issued, must receive prior written approval from the EPA. NWCHS shall inform the EPA of any modification, in writing, at least ten (10) days prior to such change. No action may be taken to implement any such modification unless the EPA has approved of the modification, in writing. The EPA may request additional information in order to determine whether to approve the modification.
23. If such modification involves a change in the use of the Site which results in exposures not considered in the Notification, the EPA may revoke, suspend, and/or modify this Approval upon finding that this risk-based cleanup and disposal action may pose an unreasonable risk of injury to health or the environment due to the change in use. EPA may take similar action if the EPA does not receive requested information needed from NWCHS to make a determination regarding potential risk.

24. Any misrepresentation or omission of any material fact in the Notification or in any records or reports may result in the EPA's revocation, suspension and/or modification of the Approval, in addition to any other legal or equitable relief or remedy the EPA may choose to pursue.

RECORDKEEPING AND REPORTING CONDITIONS

25. NWCHS shall prepare and maintain all records and documents required by 40 CFR Part 761, including but not limited to the records required under Subparts J and K. A written record of the cleanup and disposal and the analytical sampling shall be established and maintained by NWCHS in one centralized location, until such time as EPA approves in writing a request for an alternative disposition of such records. All records shall be made available for inspection to authorized representatives of EPA.
26. As required under Condition 20 of this Approval, NWCHS shall submit the results of the long-term monitoring and maintenance activities to EPA as specified in the final MMIP to be approved by EPA.
27. NWCHS shall submit a final report as both a hard copy and electronic version, to the EPA within 90 days of completion of the activities authorized under this Approval. At a minimum, this final report shall include: a short narrative of the project activities with photo-documentation; characterization and confirmation sampling analytical results; copies of the accompanying analytical chains of custody; field and laboratory quality control/quality assurance checks; an estimate of the quantity of PCB waste disposed of; copies of manifests and bills of lading; and copies of certificates of disposal or similar certifications issued by the disposer. The Report shall also include a copy of the recorded deed restriction and a certification signed by a NWCHS official verifying that the authorized activities have been implemented in accordance with this Approval and the Notification.
28. Required submittals shall be mailed to:
- Kimberly N. Tisa, PCB Coordinator
United States Environmental Protection Agency
5 Post Office Square, Suite 100 – (OSRR07-2)
Boston, Massachusetts 02109-3912
Telephone: (617) 918-1527
Facsimile: (617) 918-0527

29. No record, report or communication required under this Approval shall qualify as a self-audit or voluntary disclosure under EPA audit, self-disclosure or penalty policies.

END OF ATTACHMENT 1